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F A C S I M I L E C O V E R S H E E T

TO: EXAMINER WILLIAM L. MILLER (ART UNIT 3677)

CLIENT NUMBER: 24104A

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FROM: PAUL J. DITMYER, ESQ.

DATE: October 27, 2006

NUMBER OF PAGES (INCLUDING COVER SHEET): 3

COMMENTS/INSTRUCTIONS:

PLEASE SEE ATTACHED INFORMAL DRAFT CONSENT OF ASSIGNEE AND  
STATEMENT UNDER 37 CFR 3.73(b) FOR REISSUE APPLICATION SERIAL NO.  
09/703,277.

PLEASE LET US KNOW IF THIS IS ACCEPTABLE SO WE CAN CONTACT OUR  
CLIENT TO EXECUTE SAME. THANKS FOR YOUR KIND ATTENTION.

REGARDS,  
PAUL DITMYER  
REG: 40,455

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PTO/SB/53

**REISSUE APPLICATION:  
CONSENT OF ASSIGNEE;  
STATEMENT OF NON-ASSIGNMENT**

Attorney Docket No. 24104A

This is part of the application for a reissue patent based on the original patent identified below.

Name of Patentee:  
PURVIS ET AL.

Patent Number: 5,842,685

Date Patent Issued:  
December 1, 1998

Title of Invention:  
Temporary Guardrail System

☒ Filed herein is a statement under 37 CFR 3.73(b). (Form PTO/SB/96)

☐ Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.

One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".

The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.

The assignee(s) owing an undivided interest in said original patent is/are Harrison G. Purvis, and the assignee(s) consents to the accompanying application for reissue.

Name of assignee: Harrison G. Purvis

Signature: Date:

Type or printed name and title of person signing for assignee:

Harrison G. Purvis

OCT 27 2006

PTO/SB/86 (08-06)

Approved for use through 03/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: PURVIS ET AL.Application No./Patent No.: 5,842,685 Filed/Issue Date: DECEMBER 1, 1998Entitled: TEMPORARY GUARD RAIL SYSTEMHARRISON G. PURVIS

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 007865, Frame 0318, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature  
HARRISON G. PURVIS

Date

Printed or Typed Name

Telephone Number

ASSIGNEE

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.